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Tawkify, Inc.

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO**

JEREMY STANFIELD, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

TAWKIFY, INC. and DOES 1-25,

Defendants.

Case No. 3:20-cv-07000-WHA

**CORRECTED DECLARATION OF  
JAHMY S. GRAHAM IN SUPPORT  
OF TAWKIFY, INC.'S  
ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL RE:  
SUPPLEMENTAL BRIEFING RE:  
CONVERTED MOTION FOR  
SUMMARY JUDGMENT**

Date: August 12, 2021

Time: 8:00am

Ctrm: 12

Judge William H. Alsup

**DECLARATION OF JAHMY S. GRAHAM**

I, Jahmy S. Graham, hereby declare as follows:

1. I am an attorney at law, duly licensed to practice in the State of California and before this Court, and am a partner with Nelson Mullins Riley & Scarborough LLP, attorneys of record for Defendant Tawkify, Inc. (“Tawkify”). I submit this Declaration in support of Tawkify’s Administrative Motion to File Under Seal pursuant to Civil Local Rule 79-5. Pursuant to Civil Local Rule 79-5(d), Tawkify seeks to file portions of its Tawkify’s Supplemental Briefing Re: Converted Motion for Summary Judgment (the “Supplemental MSJ Briefing”) and the documents attached thereto that contain confidential business information and/or personally identifiable or otherwise sensitive personal information regarding Plaintiff, his children, Tawkify personnel, and/or Tawkify clients under seal.

2. In accordance with Civil Local Rule 7-11(a), my office met and conferred with counsel for Plaintiff Jeremy Stanfield (“Plaintiff”) on June 29, 2021 via email. We sought a stipulation agreeing to the same relief sought in Tawkify’s Administrative Motion to File Under Seal filed on June 29, 2021, and opposing counsel stipulated to sealing the following information:

- Nonparty identifying information, e.g., names of children, former spouses, names of Plaintiff’s matches/dates;
- Plaintiff’s private identifying information, e.g., his address or email address;
- Plaintiff’s banking or other financial information, as reflected in his deposition testimony or documents produced in discovery.

On June 30, 2021, my office sent another email to Plaintiff’s counsel seeking a similar stipulation to sealing this same information, but in connection with the Motion for Summary Judgment, as well as some additional information. As of the time the instant Administrative Motion to Seal is being filed, the parties were not able to reach agreement on the sealing of the additional information sought to be sealed in connection with the Motion for Summary Judgment.

3. The Supplemental MSJ Briefing contains either sensitive information and/or information designated by Plaintiff and/or Tawkify as “Confidential” under the parties’ Stipulated

Protective Order (Dkt. 68). The below table identifies the documents and portions thereof that are the subject of Tawkify's Administrative Motion to Seal.

Exhibit	Document	Portions to Be Sealed	Designating Party
1	Supplemental MSJ Briefing	Highlighted redactions at <ul style="list-style-type: none"> <li>p. 3, lines 3-8</li> <li>p. 5, lines 1-2</li> <li>p. 6, lines 6-9, 21</li> <li>p. 10, lines 6, 8-9</li> <li>p. 12, line 8</li> </ul>	N/A
2	Schultz Declaration, Ex. B  (Tawkify notes from call with Plaintiff, TAWKIFY_STANFIELD_00099)	Entire document	Tawkify  Plaintiff stipulates as to personally identifying information, excluding that of Tawkify employees or matchmakers
3	Schultz Declaration, Ex. C  (Text messages between parties, TAWKIFY_STANFIELD_00179 - 185)	Entire document	Tawkify  Plaintiff stipulates as to personally identifying information, excluding that of Tawkify employees or matchmakers
4	Schultz Declaration, Ex. D  (Date feedback, TAWKIFY_STANFIELD_00202-204)	Entire document	Tawkify
5	Schultz Declaration, Ex. E  (7/18/2020 offer for non-refundable bonus, TAWKIFY_STANFIELD_000003)	Entire document	Tawkify
6	Schultz Declaration, Ex. F  (Internal notes re: calculation of refund, TAWKIFY_STANFIELD_00115-116)	Entire Document	Tawkify

Exhibit	Document	Portions to Be Sealed	Designating Party
7	Schultz Declaration, Ex. G  (Account activity log regarding Plaintiff, TAWKIFY_STANFIELD_00205-210)	Entire document	Tawkify
8	Graham Declaration, Ex. A  (Transcript of Plaintiff's Call)	Entire document	Tawkify
9	Graham Declaration, Ex. B  (Emails between parties, STANFIELD000030)	Highlighted redactions	Tawkify  Plaintiff stipulates as to personally identifying information, including to the extent there is certain personally identifying information regarding himself, but excluding that of Tawkify employees or matchmakers
10	Graham Declaration, Ex. D  (7/19 email, STANFIELD00085-87)	Highlighted redactions	Tawkify
11	Graham Declaration, Ex. E & F  (Text messages, STANFIELD000099)  (Email receipt, STANFIELD00005)	Highlighted redactions	Tawkify  Plaintiff stipulates to the extent there is certain personally identifying information regarding himself
12	Graham Declaration, Ex. G  (Email following purchase, STANFIELD00008-10)	Highlighted redactions	Tawkify  Plaintiff stipulates as to personally identifying information regarding himself

Exhibit	Document	Portions to Be Sealed	Designating Party
13	Graham Declaration, Ex. I  (Text messages, STANFIELD113-116)	Highlighted redactions	Tawkify
14	Graham Declaration, Ex. K  (Text messages before date, STANFIELD000130)	Highlighted redactions	Tawkify  Plaintiff stipulates as to personally identifying information, excluding that of Tawkify employees or matchmakers
15	Graham Declaration, Ex. L  (Emails between parties, STANFIELD000016-17)	Highlighted redactions	Tawkify  Plaintiff stipulates as to personally identifying information, including to the extent there is certain personally identifying information regarding himself, but excluding that of Tawkify employees or matchmakers
16	Graham Declaration, Ex. M  (Emails between parties, STANFIELD000013-14)	Highlighted redactions	Tawkify  Plaintiff stipulates as to personally identifying information, excluding that of Tawkify employees or matchmakers

Exhibit	Document	Portions to Be Sealed	Designating Party
17	Graham Declaration, Ex. N  (Emails regarding first date, STANFIELD000038)	Highlighted redactions	Tawkify  Plaintiff stipulates as to personally identifying information, including to the extent there is certain personally identifying information regarding himself, but excluding that of Tawkify employees or matchmakers
18	Graham Declaration, Ex. O  (Text messages, STANFIELD000134-35)	Highlighted redactions	Tawkify  Plaintiff stipulates as to personally identifying information, excluding that of Tawkify employees or matchmakers
19	Graham Declaration, Ex. Q  (Emails between parties, STANFIELD000050-53)	Highlighted redactions	Tawkify
20	Graham Declaration, Ex. R  (Bank records, STANFIELD000146)	Highlighted redactions	Tawkify  Plaintiff stipulates to the extent there is certain personally identifying information regarding himself
21	Graham Declaration, Ex. S  (Email between parties, STANFIELD000044)	Highlighted redactions	Tawkify

Exhibit	Document	Portions to Be Sealed	Designating Party
22	Graham Declaration, Ex. T  (Emails between parties, STANFIELD000040-42)	Highlighted redactions	Tawkify  Plaintiff stipulates as to personally identifying information, excluding that of Tawkify employees or matchmakers
23	Graham Declaration, Ex. U  (Bank records, STANFIELD000148)	Highlighted redactions	Tawkify  Plaintiff stipulates to the extent there is certain personally identifying information regarding himself
24	Graham Declaration, Ex. W  (Emails between parties, STANFIELD000039)	Highlighted redactions	Tawkify  Plaintiff stipulates as to personally identifying information, excluding that of Tawkify employees or matchmakers
25	Graham Declaration, Ex. X  (Emails between parties, STANFIELD000135-136)	Highlighted redactions	Tawkify  Plaintiff stipulates as to personally identifying information, excluding that of Tawkify employees or matchmakers

Exhibit	Document	Portions to Be Sealed	Designating Party
26	Graham Declaration, Ex. Y  (Emails between parties, STANFIELD000082-84)	Highlighted redactions	Tawkify  Plaintiff stipulates as to personally identifying information, including to the extent there is certain personally identifying information regarding himself, but excluding that of Tawkify employees or matchmakers
27	Graham Declaration, Ex. Z  Deposition of Plaintiff Jeremy Stanfield	Highlighted redactions	Tawkify  Plaintiff stipulates as to personally identifying information, including to the extent there is certain personally identifying information regarding himself, but excluding that of Tawkify employees or matchmakers
28	Graham Declaration, Exh AA  Deposition of Thane Schultz	Highlighted redactions	Tawkify

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed in Torrance, California on July 9, 2021.

/s/ Jahmy S. Graham  
Jahmy S. Graham



**CERTIFICATE OF SERVICE**

I hereby certify that on July 9, 2021, I electronically filed the forgoing with the Clerk of court using the CM/ECF system and I served a copy of the forgoing pleading on all counsel for all parties via the CM/ECF system and/or mailing same by United States Mail, properly addressed, and first class postage prepaid, to all counsel of record in this matter.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed July 9, 2021 at Torrance, California.

Jahmy S. Graham

Print Name

By: /s/ Jahmy S. Graham

Signature